

Patent Application
Attorney Docket No. 3153.00205/PC10202A

REMARKS

Claims 21 and 36 are currently pending the present application and are both in independent form. Claims 1-20 and 22-35 have been canceled without prejudice in order to expedite the allowance of the present application.

Applicants express their gratitude for courtesies extended by the Examiner during a personal interview with the Applicants' representatives Andrew M. Parial and Kenneth I. Kohn on June 2, 2004. During the personal interview, the presently pending claims were discussed and an agreement was reached with regard to the allowability of these claims.

Specifically referring to the Office Action, claims 18-20 and 22-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 90/02187 to Chappel, et al., the Zhu, et al., reference, the Roeske, et al., reference, the Russelljohn, et al., reference, and the Babiuk, et al., reference. Since these claims have been canceled without prejudice in order to expedite the allowance of the present application, the rejection under 35 U.S.C. § 103(a) has been rendered moot.

According to the Office Action, claim 21 has been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. According to the Office Action, none of the cited prior art references disclose SEQ ID NO: 29 or SEQ ID NO: 35. Therefore, claim 21 has been rewritten to be in independent form wherein the second proteinaceous portion is directed towards SEQ ID NO: 29. With regard to new claim 36, the second proteinaceous portion is directed towards SEQ ID NO: 35. Since these sequences are not disclosed in the cited prior art, the presently pending claims are both novel and unobvious in view of the cited prior art.

In summary, the presently pending claims are now in condition for allowance, which allowance is respectfully requested. The claims have been amended without prejudice and pursuant to suggestions set forth in the outstanding Office Action. Additionally, all canceled claims have been canceled without prejudice in order to expedite the allowance of the present application.

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Attorney Docket No. 3153.00295/PC10202A

If any remaining issues exist, Applicants respectfully request to be contacted by telephone at 248.539.5050.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

Respectfully submitted,

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Marie M. DeWitt